IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7807 OF 2005

Tanveer Chaman Khan .. Applicant
Versus
The State of Maharashtra .. Respondents

Mr.Shirish Gupte, Senior Advocate with Mr.Rajiv Sawant for applicant
Mr.K.V.Saste, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 8th November 2005.

P.C.

. Heard Mr.Gupte, learned Senior Advocate for applicant and Mr.Saste, A.P.P. for State.

2. The objection is that persons charged with similar offences having not been enlarged on anticipatory bail but were produced before the regular court and thereafter enlarged on bail, in the present case applicant should be directed to

follow the same course. The investigation can then go on unhampered.

3. However, upon perusal of the reply filed by the prosecution to the anticipatory bail application filed in the sessions court, in my view, custodial interrogation of applicanrt is not necessary. Applicant's passport is already surrendered to the authority. Further, the revolver and cartridges have also been seized. All documents including licence have also been taken in custody. In the light of this, applicant deserves to be enlarged on bail in the event of his arrest. Hence, following order:-

i) In the event of applicant's arrest in connection with C.R.No.173 of 2005 registered with Versova Police Statioon, the applicant shall be released on bail in the sum of Rs.25,000/- with one surety in the like amount.

ii) The applicant shall report to Versova Police Station twice a week on every Thursday and Sunday between 5.00 p.m. to 7.00 p.m. till the charge sheet is filed.

iii) Bail is granted subject to condition that applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the police officer/ investigating agency. The applicant shall not tamper with the evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on

the merits of the case at the time of trial.

v) This order will enure to the benefit of the applicant only till charge sheet is filed. Thereafter, he will be free to apply to the appropriate court for appropriate relief.

vi) Application disposed of.

vii) Parties to act on an authenticated copy of this order.

viii) Needless to state that it will be open for applicant to move either investigating authority or regular court in case he desires to travel abroad.

(S.C.DHARMADHIKARI, J)